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July 19, 1995
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: IC Docket No. 94-31

Dear Mr. Caton:

On behalf of the Harris Corporation Communications Sector ("Harris"), we are filing an original and seven (7) copies of its Supplemental Reply Comments in the above-referenced matter.

If there are any questions, please communicate with the undersigned counsel.

Respectfully submitted,

FLETCHER, HEALD & HILDRETH, P.L.C.

Leonard Robert Raish

Leonard Robert Raish
Counsel for Harris Corporation Communications
Sector

LRR:cej
Enclosures

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ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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'JUL 19 1995'

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Preparation for International)
Telecommunications Union World)
Radiocommunications Conferences)

IC Docket No. 94-31

DOCKET FILE COPY ORIGINAL

To: The Commission

**SUPPLEMENTAL REPLY COMMENTS OF
HARRIS CORPORATION COMMUNICATIONS SECTOR**

The Harris Corporation Communications Sector ("Harris") by its undersigned counsel and pursuant to Section 1.415 of the Rules of the Federal Communications Commission ("FCC" or "Commission"), hereby submits these Supplemental Reply Comments in the above-captioned proceeding. In the comment below, Harris opposes the suggested allocation of the 456-459 MHz for Mobile Satellite Service (MSS) uplinks.

I. GENERAL

Harris is a Florida corporation with its headquarters located in Melbourne, Florida. Among its products are equipments, described as LOCOTROL, that are used in the railroad industry for remote control operations of "lead" and "slave" locomotives. These operations are pursuant to Part 90 of the FCC Rules, specifically § 90.91(c) Footnote 11 and are conducted on frequencies in the 456-459 MHz band.

**II. THE LEO ONE PROPOSAL SHOULD BE REJECTED
AS BEING INCONSISTENT WITH DECISIONS
ALREADY TAKEN**

The subject of spectrum below 1 GHz for Mobile Satellite Service (MSS) use was discussed extensively earlier this year in connection with WRC-95 preparations. These discussions culminated in a Joint Filing dated May 18, 1995 by several parties interested in MSS below 1 GHz. LEO ONE USA Corporation was one of these parties. The Joint Filing, inter alia, proposed three bands for MSS uplinks, specifically 420-422, 455-456, and 459-460 MHz. The proposal was developed after much consideration. Noting this, LEO ONE comes now to unilaterally propose an additional allocation and cites the 456-459 MHz band as a candidate band. No supporting reason is given in the Supplemental Comments of LEO ONE USA Corporation than their belief that MSS below 1 GHz SDMA systems can successfully share with land mobile in the uplink mode.

**III. FREQUENCIES USED FOR LOCOMOTIVE CONTROL
OPERATIONS ARE NOT AMENABLE TO SHARING**

Despite the claim of LEO ONE USA Corporation that MSS operations below 1 GHz can co-share, such a conclusion would not be applicable to LOCOTROL equipment operations. This type of land mobile operation is of a continuous nature while the "lead" or "slave" locomotive is in operational use. Sharing is not realistic and risks of interference to railroad locomotive operations are not justified. If there is to be sharing of spectrum below 1 GHz, the 456-459 MHz band should be excluded for important railroad operational reasons.

IV. CONCLUSION

In conclusion, the Commission is urged to deny the proposal being made by LEO ONE USA Corporation in its Supplemental Comments as regards sharing of the 456-459 MHz band.

Respectfully submitted,

**HARRIS CORPORATION COMMUNICATIONS
SECTOR**

By: Leonard Robert Raish
Leonard Robert Raish

Its Attorney

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Dated: July 19, 1995

CERTIFICATE OF SERVICE

I, Chellestine Johnson, do hereby certify that a true and correct copy of the foregoing "Supplemental Reply Comments" was sent by first-class mail, postage prepaid, or hand-delivered, on this 19th day of July, 1995, to the following persons:

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